

C. Remarks

The claims are 11 and 20-26, with claim 11 being the sole independent claim. Claims 1-10 and 12-19 have been cancelled. Claim 11 has been rewritten in independent form. New claims 20-26 have been added. Support for the new claims may be found, inter alia, in cancelled claims 2-8. No new matter has been added. Reconsideration of the present claims is expressly requested.

Claims 2-4, 6, 8, 13-15, 17 and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite.

Since claims 2-4, 6, 8, 13-15, 17 and 18 have been cancelled, this rejection is moot and should be withdrawn. However, a definition of glucose derivatives may be found, for example, on page 6, lines 2-4, and the definition of fatty acid derivatives may be found, for example, on page 6, line 20 - page 7, line 10. Applicant respectfully submit that in view of the knowledge in the art and the definitions provided in the specification, a skilled artisan would understand the meaning of the term "derivatives" in the context of the present invention.

Claims 1-10 and 12-19 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being allegedly obvious from, JP 5-186556 (JP '556)¹ or WO 96/05238 (WO '238). Claims 1-9 and 12-19 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over JP 6-128348 (JP '348) and JP '556. Claims 1-10 and 12-19 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being allegedly obvious from JP 2000-143702 (JP '702). Claims 1-9 and 12-19 stand rejected

¹The Examiner confirmed in a telephonic interview that JP 5-185556 cited in the Office Action is incorrect and that the correct document applied in the rejections is JP 5-186556.

under 35 U.S.C. § 103(a) as being allegedly obvious from U.S. Patent No. 5,270,421 (Dordick) in view of JP '702.

Without acquiescence to the propriety of the rejections, and solely to expedite prosecution of the subject application, claims 1-10 and 12-19 have been cancelled without prejudice. Accordingly, the above rejections are moot and should be withdrawn.

The only claims remaining in this application are claims 11 and 20-26. The Examiner stated in the Office Action that claim 11 would be allowable if it is rewritten in independent form. Accordingly, since claim 11 has been so rewritten, Applicant respectfully submits that this claim is in allowable form. Furthermore, since claims 20-26 depend from claim 11 and a sufficient definition of the term "derivatives" is provided in the specification on page 6, lines 2-4, and on page 6, line 20 - page 7, line 10, as discussed above, Applicant respectfully submits that claims 20-26 are also in allowable form.

Wherefore, Applicant respectfully requests that the outstanding rejections be withdrawn and that the present case be passed to issue.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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